

## **EXHIBIT 5**



**From:** [Tedra Cannella](#)  
**To:** [Hill, Rick](#)  
**Cc:** [Cathy Huff](#); [Chausmer, Aaron](#); [Holmes, Arlene A.](#); [Robert Snyder](#); [Devin Mashman](#); [Hannah Drosky Amanuel](#); [Amy Ledford](#)  
**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition  
**Date:** Wednesday, October 9, 2024 10:53:22 AM

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OK. We reserve the right to oppose additional opinions as untimely.

**From:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>  
**Sent:** Wednesday, October 9, 2024 10:45 AM  
**To:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>  
**Cc:** Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Chausmer, Aaron <[ACHausmer@wwhgd.com](mailto:ACHausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>; Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman <[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel <[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>  
**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

Mr. Grimes is out of the office for the next 11 straight days, so he is working with his staff to prepare a supplemental report, as requested, as soon as he is able. However, due to his being on the road, he is not able to commit to a date certain at this time.

**From:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>  
**Sent:** Monday, October 7, 2024 3:37 PM  
**To:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>  
**Cc:** Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron <[ACHausmer@wwhgd.com](mailto:ACHausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>; Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman <[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel <[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>  
**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

**This Message originated outside your organization.**

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Thank you. Is Mr. Grimes still planning on doing an additional report? When will that be produced?

**From:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>  
**Sent:** Friday, October 4, 2024 4:36 PM  
**To:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>  
**Cc:** Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron <[ACHausmer@wwhgd.com](mailto:ACHausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>; Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman <[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel <[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>



**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

Tedra,

Please see attached. We will do a formal production on Monday.

Thanks,

Rick

**From:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>

**Sent:** Tuesday, October 1, 2024 10:01 AM

**To:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>

**Cc:** Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron <[AChausmer@wwhgd.com](mailto:AChausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>; Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman <[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel <[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>

**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

**This Message originated outside your organization.**

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Great, thank you. And good luck with everything.

**From:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>

**Sent:** Tuesday, October 1, 2024 9:56 AM

**To:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>

**Cc:** Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron <[AChausmer@wwhgd.com](mailto:AChausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>; Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman <[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel <[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>

**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

We will definitely have this out by 10/5, if not sooner.

**From:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>

**Sent:** Tuesday, October 1, 2024 9:54 AM

**To:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>

**Cc:** Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron <[AChausmer@wwhgd.com](mailto:AChausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>; Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman <[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel <[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>

**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE



image shown at Mr. Buchner's deposition

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I'm so sorry to hear that. The photos are certainly heartbreaking. Our thoughts and prayers are with you and your family.

Mr. Chausmer or Ms. Ferguson--can someone else on RC's team take over collecting the documents from Mr. Grimes and getting a date from him for his supplemental report by this Friday, 10/5? As I recall, Mr. Grimes lives in California or somewhere out west. We certainly don't want to be insensitive to Mr. Hill's family's crisis, and we have given numerous extensions for family emergencies in this case. But there are multiple lawyers representing RC and this is a relatively simple issue of collecting documents that exist and scheduling a date for a supplemental report. Also, we have been trying to resolve this issue since July, and it is now October.

**From:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>

**Sent:** Tuesday, October 1, 2024 9:35 AM

**To:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>

**Cc:** Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron <[AChausmer@wwhgd.com](mailto:AChausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>; Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman <[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel <[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>

**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

Basement was, but not too bad. Family in south GA hit hard.

**From:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>

**Sent:** Tuesday, October 1, 2024 9:34 AM

**To:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>

**Cc:** Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron <[AChausmer@wwhgd.com](mailto:AChausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>; Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman <[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel <[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>

**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

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I'm sorry to hear that—was your house flooded?

**From:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>

**Sent:** Tuesday, October 1, 2024 9:20 AM



**To:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>  
**Cc:** Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron <[ACHausmer@wwhgd.com](mailto:ACHausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>; Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman <[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel <[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>  
**Subject:** Re: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

The storm has delayed everything for me. Will get this out as soon as I am able.

On Oct 1, 2024, at 9:16 AM, Tedra Cannella <[Tedra@cannellasnyder.com](mailto:Tedra@cannellasnyder.com)> wrote:

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Counsel, we have not yet received the materials RC stated it would provide to us by 9/27, i.e., (1) all results of his examination of Mr. Buchner's supplemental HVE backup files, including any results of additional "runs" using Mr. Buchner's files that Mr. Grimes has performed, and (2) a date certain that Plaintiffs will receive RC's experts' supplemental reports. Please provide those today.

**From:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>  
**Sent:** Friday, September 20, 2024 11:45 AM  
**To:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>; Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron <[ACHausmer@wwhgd.com](mailto:ACHausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>  
**Cc:** Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman <[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel <[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>  
**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

Counsel,

To clarify, I do not consider a software simulation run as a "test." I was referring to crash testing. While RC has not done any additional crash testing, Mr. Grimes has obviously examined the new HVE file produced by Mr. Buchner for the first time in connection with his supplemental disclosures. As we discussed today, I will ask Mr. Grimes to provide all results of his examination of Mr. Buchner's supplemental HVE backup files, including any results of additional "runs" using Mr. Buchner's files that Mr. Grimes has performed.



Additionally, as I explained today, the defense experts' opinions have not changed, however, they obviously do not agree fully with all of the opinions in your experts' supplemental reports and testimony critical of the crash testing. As requested, we will provide supplemental reports detailing their disagreements with your experts' supplemental opinions.

Regards,  
Rick

**From:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>

**Sent:** Friday, September 20, 2024 10:18 AM

**To:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>; Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron <[AChausmer@wwhgd.com](mailto:AChausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>

**Cc:** Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman <[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel <[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>

**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

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To summarize the Zoom from today:

1. RC contends it has produced all communications required under the rules. Plaintiff contends that RC must produce any communications about testing, even if the expert did not rely on it. The parties have reached an impasse on this issue.
2. Counsel for RC is not aware of additional testing done by the experts. He is not aware of any new opinions. We reviewed Px 1 from Buchner's depo which shows RC's expert doing an additional HVE run. RC will produce any HVE testing (software runs of tests) that the expert has done, even if the expert is not relying on them. Counsel will be in touch with the expert to see when this can be produced and have a date to Plaintiffs for that production by next Friday, 9/27. Plaintiffs asked that they be advised sooner if possible given the delay on this issue.

Thank you.

**From:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>



**Sent:** Thursday, September 12, 2024 9:29 AM

**To:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>; Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>;

Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron

<[AChausmer@wwhgd.com](mailto:AChausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>

**Cc:** Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman

<[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel

<[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>

**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

Second request for a meet and confer on the below, please.

**From:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>

**Sent:** Monday, August 12, 2024 4:24 PM

**To:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>; Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>;

Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron

<[AChausmer@wwhgd.com](mailto:AChausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>

**Cc:** Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman

<[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel

<[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>; Amy Ledford <[aledford@cannellasnyder.com](mailto:aledford@cannellasnyder.com)>

**Subject:** Re: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition

Mr. Hill, please confirm:

1. Rough Country's testifying experts have not conducted or reviewed testing (whether physical, computer-based, or otherwise) in this case, outside of that which has been disclosed already.
2. Rough Country's experts are not going to offer any new opinions.

I do not understand this statement from your email below: "If those experts decide to issue supplemental opinions based upon this newly received information and rely upon that information, the materials they rely upon will be produced. Until that time, the experts' work product in connection with assisting counsel with your expert's depositions is not discoverable." The discoverability of communications does not depend on whether the expert will issue "supplemental opinions."

We would like to schedule a meet and confer zoom or phone call to discuss the above issues. I am available:



8/13: 2-3

8/14: 10-11:30

8/15: all day

8/16: all day

Please let me know what time works best for you. Thank you.

---

**From:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>

**Sent:** Tuesday, July 23, 2024 2:21 PM

**To:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>; Cathy Huff  
<[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>; Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>;  
Chausmer, Aaron <[ACHausmer@wwhgd.com](mailto:ACHausmer@wwhgd.com)>; Holmes, Arlene A.  
<[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>

**Cc:** Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman  
<[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel  
<[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>

**Subject:** RE: Bryson v Rough Country - documents, data, and correspondence related to  
the HVE image shown at Mr. Buchner's deposition

Tedra,

Responding to your requests below:

1. All communications with experts discoverable under Fed. R. Civ. P. 26 have been produced, other than recent transmittal emails sending your expert's supplemental disclosures, supporting documents, and the rough drafts of the depositions of your experts taken in the last two weeks. As you point out in your objections to the Defendant's Notices of your experts, discoverable communications "include only communications related to compensation, identifying the facts and data provided by counsel, and identifying assumptions relied upon by the experts." Fed. R. Civ P. 26(b)(4) (C).



2. You have been provided with the HVE screen shot that was used in the deposition of Mr. Buchner, asking him if he is aware of an HVE output in that form. Rough Country's defense experts are reviewing the material, disclosures, and rough drafts of the depositions of your experts, the last of which was just received last week. If those experts decide to issue supplemental opinions based upon this newly received information and rely upon that information, the materials they rely upon will be produced. Until that time, the experts' work product in connection with assisting counsel with your expert's depositions is not discoverable.
3. As stated, Rough Country's experts are reviewing the new information and documents just received from your experts and are deciding whether they will issue supplemental opinions based upon the new opinions and new information provided by your experts. These are not "rebuttal experts" or "rebuttal opinions" subject to the deadline for "rebuttal experts." These would be supplemental opinions based upon newly received information, information that was not produced or available prior to the "rebuttal expert" deadline.

Regards,

Rick

<image001.png>

Richard H. Hill, II, Attorney

**Weinberg Wheeler Hudgins Gunn & Dial**

3344 Peachtree Road NE | Suite 2400 | Atlanta, GA 30326

D: 404.832.9534 | F: 404.875.9433

[www.wwhgd.com](http://www.wwhgd.com) | [vCard](#)

**From:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>

**Sent:** Wednesday, July 17, 2024 12:00 PM

**To:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>; Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>;

Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron

<[AChausmer@wwhgd.com](mailto:AChausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>

**Cc:** Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman

<[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel

<[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>

**Subject:** Re: Bryson v Rough Country - documents, data, and correspondence related to the HVE image shown at Mr. Buchner's deposition



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Counsel, in today's meet and confer zoom discussion, RC stated it did not understand what Plaintiffs requested in the below July 11 emails. RC requested additional explanations. We have attempted to accommodate that request below. Please respond by Monday so that we can assess whether a motion to compel must be filed. Failure to respond has already prejudiced our ability to file a motion within the expert discovery period, so we would like to resolve this as soon as possible so that we can file a motion soon if necessary.

1. On July 11, 2024, we asked for "any correspondence with defense experts that hasn't been produced yet."
  1. This is a clear statement, and in fact clearer than defendant's request for communication to plaintiff's experts (i.e., "Any and all reports and other communications authored by you concerning this case." See RC's 7/12/24 Notice of Deposition to Roche at para. 3).
  2. Please let us know by Monday if RC will supplement its discovery responses and produce communications with its experts that are discoverable under Fed. R. Civ. P. 26, which haven't already been produced.
1. On July 11, 2024, we asked RC to supplement discovery to provide "all the correspondence, data, and documents related to the HVE simulation image shown to Mr. Buchner today."
  1. This is also a clear request. RC stated in the meet and confer that it only has the image that was shown to Mr. Buchner. but RC's expert obviously has the additional data and documents created in the course of generating the image, which is the result of an HVE simulation. Those documents are in RC's legal possession, custody or control. Will RC produce them?
1. On July 11, 2024, we asked RC to confirm its experts did not plan on providing a rebuttal report. RC indicated in our meet and confer conversation that its experts *would* be providing rebuttal reports. We note that the Court's deadline for rebuttal reports has passed, so RC will need to seek Court permission for rebuttal reports. Please provide additional detail regarding RC's position that it should be granted additional time for rebuttal reports, and state how much additional time RC will seek.



Thank you.

---

**From:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>  
**Sent:** Thursday, July 11, 2024 6:40 PM  
**To:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>; Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>;  
Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron  
<[AChausmer@wwhgd.com](mailto:AChausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>  
**Cc:** Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman  
<[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel  
<[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>  
**Subject:** Re: Bryson v Rough Country - documents, data, and correspondence related to  
the HVE image shown at Mr. Buchner's deposition

In addition to the documents referenced below, please provide any  
correspondence with defense experts that hasn't been produced yet.

Please let us know today if RC agrees to supplement its productions by Monday.

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**From:** Tedra Cannella <[tedra@cannellasnyder.com](mailto:tedra@cannellasnyder.com)>  
**Sent:** Thursday, July 11, 2024 11:43:30 AM  
**To:** Hill, Rick <[RHill@wwhgd.com](mailto:RHill@wwhgd.com)>; Cathy Huff <[cathy@cannellasnyder.com](mailto:cathy@cannellasnyder.com)>;  
Ferguson, Lindsay Gatling <[LGatling@wwhgd.com](mailto:LGatling@wwhgd.com)>; Chausmer, Aaron  
<[AChausmer@wwhgd.com](mailto:AChausmer@wwhgd.com)>; Holmes, Arlene A. <[aholmes@wwhgd.com](mailto:aholmes@wwhgd.com)>  
**Cc:** Robert Snyder <[rob@cannellasnyder.com](mailto:rob@cannellasnyder.com)>; Devin Mashman  
<[devin@cannellasnyder.com](mailto:devin@cannellasnyder.com)>; Hannah Drosky Amanuel  
<[hannah@cannellasnyder.com](mailto:hannah@cannellasnyder.com)>  
**Subject:** Re: Bryson v Rough Country - documents, data, and correspondence related to  
the HVE image shown at Mr. Buchner's deposition

Mr. Hill,



Please provide all the correspondence, data, and documents related to the HVE simulation image show to Mr. Buchner today.

Thank you.

<image002.png>

**Tedra L. Cannella**

Partner

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